

Local

13

**Court of General Sessions
State of Tennessee, County of Shelby**

CIVIL WARRANTNo. 1160390**To Any Lawful Officer to Execute and Return:**Summon the Defendant (s) STATE FARM FIRE AND CASUALTY COMPANY1244 NORTH PRIMACY PARKWAYMEMPHIS, TENNESSEE 38119 *THE***(BY SERVICE ON ANY OFFICER OR MANAGING AGENT)**

to appear before the Court of General Sessions of Shelby County, Tennessee, to be held at the Courtrooms of said Court in said County and there to answer in a civil action brought by the Plaintiff RAY BRUNSON and wife, MARY BRUNSON for DAMAGES TO PLAINTIFFS AS A RESULT OF DEFENDANT'S BREACH OF CONTRACT ARISING OUT OF HAIL DAMAGE TO PLAINTIFFS' HOUSE IN BARTLETT, SHELBY COUNTY, TENNESSEE ON MAY 31, 2006.

under \$25,000.00 DollarsIssued this 18th day of July, 2006Atty. for Counter-Plaintiff JOSEPH MICHAEL COOKAddress 871 Ridgeway Loop, #108, Memphis, TN 38120Phone 901/682-9655Code No. C12220B.P.R. No. 6385

Court of General Sessions

By *[Signature]* Deputy Clerk**JUDGMENT**

Judgment for _____

\$ _____

and Cost of suit, for which Execution may issue.

This _____ day of _____, 20 _____

Judge of Division _____

DAY _____	DATE _____	COURT HEARING _____	TIME _____ o'clock A.M.
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Came to hand same day issued and executed as commanded on

Came to hand same day issued and executed as commanded on

PER. ROBERT W. LUTTRELL, JR., NO ONE AT THIS LOCATION CAN ACCEPT SERVICE OF SUM. THIS ORDER MUST GO TO NASHVILLE, TENN. COMMERCIAL OF TENN.

This 25 day of July, 2006

Mark Luttrell, Sheriff

R. Reginald

This _____ day of _____, 20 _____

Mark Luttrell, Sheriff

EXHIBITB

**Court of General Sessions
State of Tennessee, County of Shelby**

CIVIL WARRANT

No.

1160390

To Any Lawful Officer to Execute and Return:

Summon the Defendant (s) STATE FARM FIRE AND CASUALTY COMPANY1244 NORTH PRIMACY PARKWAYMEMPHIS, TENNESSEE 38119**(BY SERVICE ON ANY OFFICER OR MANAGING AGENT)**

to appear before the Court of General Sessions of Shelby County, Tennessee, to be held at the Courtrooms of said Court in said County and there to answer in a civil action brought by the Plaintiff RAY BRUNSON and wife, MARY BRUNSON for DAMAGES TO PLAINTIFFS AS A RESULT OF DEFENDANT'S BREACH OF CONTRACT ARISING OUT OF HAIL DAMAGE TO PLAINTIFFS' HOUSE IN BARTLETT, SHELBY COUNTY, TENNESSEE ON MAY 31, 2006.

under \$25,000.00

Dollars

Issued this _____ day of _____, 20____

Atty. for Counter-Plaintiff JOSEPH MICHAEL COOKAddress 871 Ridgeway Loop, #108, Memphis, TN 38120Phone 901/682-9655Code No. C12220B.P.R. No. 6385

Court of General Sessions

By _____
Deputy Clerk**JUDGMENT**

Judgment for _____

\$ _____

and Cost of suit, for which Execution may issue.

This _____ day of _____, 20____

Judge of Division _____

DAY _____	DATE _____	COURT HEARING	TIME _____ o'clock A.M.
-----------	------------	----------------------	-------------------------

Came to hand same day issued and executed as commanded on _____

Came to hand same day issued and executed as commanded on _____

This _____ day of _____, 20____
Mark Luttrell, SheriffThis _____ day of _____, 20____
Mark Luttrell, Sheriff

**Court of General Sessions
State of Tennessee, County of Shelby**

ALIAS CIVIL WARRANT

No. 1160390

To Any Lawful Officer to Execute and Return:

Summon the Defendant (s) STATE FARM FIRE AND CASUALTY COMPANY1244 NORTH PRIMACY PARKWAYMEMPHIS, TENNESSEE 38119**(BY SERVICE ON ANY OFFICER OR MANAGING AGENT)**

to appear before the Court of General Sessions of Shelby County, Tennessee, to be held at the Courtrooms of said Court in said

County and there to answer in a civil action brought by the Plaintiff RAY BRUNSON and wife, MARY BRUNSONfor DAMAGES TO PLAINTIFFS AS A RESULT OF DEFENDANT'S BREACH OF CONTRACT ARISING OUT OFHAIL DAMAGE TO PLAINTIFFS' HOUSE IN BARTLETT, SHELBY COUNTY, TENNESSEE ON MAY 31, 2006.under \$25,000.00 DollarsIssued this 27 day of Feb, 2007Atty. for Counter-Plaintiff JOSEPH MICHAEL COOKAddress 871 Ridgeway Loop, #108, Memphis, TN 38120Phone 901/682-9655Code No. C15901B.P.R. No. 6385

Court of General Sessions

By [Signature]
Deputy Clerk**PLAINTIFF****JUDGMENT**Judgment for \$

and Cost of suit, for which Execution may issue.

This 8 day of Mar, 2007

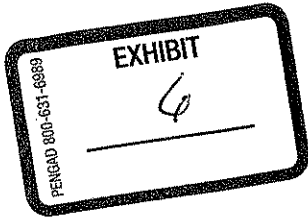
MAR 8 2007

Judge of Division

COURT HEARINGDAY FRI 5 DATE JAN 2007 TIME 1000 o'clock A.M.Came to hand same day issued and executed as
commanded onYELNICK/O DUNCAN
CLAM REPThis 1 day of NOV, 2006
Mark Luttrell, Sheriff[Signature]
Deputy SheriffCame to hand same day issued and executed as
commanded onThis day of , 20
Mark Luttrell, Sheriff

Deputy Sheriff

1160390



State Farm Insurance Companies
 State Farm Fire and Casualty
 P.O. Box 20598
 Murfreesboro, TN 37129-0087

888-898-6214 fax
 07/09/2006

Estimate: 42-B147-032
 Insured: BRUNSON, RAY
 Property: 6393 DAYBREAK DR
 BARTLETT, TN 38135-9110
 Home: (901) 377-6740

Claim Number: 42-B147-032
 Policy Number: 42-CH-6062-6
 Type of Loss: Wind Damage
 Deductible: \$500.00
 Price List: TNME2F6B2
 Restoration/Service/Remodel
 F = Factored In, D = Do Not Apply
 Date of Loss: 05/31/2006
 Date Inspected: 06/30/2006

Summary for Wind Damage

Line Item Total		1,392.47
Material Sales Tax	@ 9.250% x 302.12	27.95
Replacement Cost Value		1,420.42
Less Depreciation (Including Taxes)		(58.68)
Less Deductible		(500.00)
Net Actual Cash Value Payment		\$861.74

Maximum Additional Amounts Available If Incurred:

Total Line Item Depreciation (Including Taxes)	58.68
Total Maximum Additional Amount Available If Incurred	58.68
Total Amount of Claim If Incurred	\$920.42

Hildrich, Josh

ALL AMOUNTS PAYABLE ARE SUBJECT TO THE TERMS, CONDITIONS AND LIMITS OF YOUR POLICY.

"It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for the purpose of defrauding the company. Penalties include imprisonment, fines and denial of insurance benefits".

State Farm Insurance Companies

BRUNSON, RAY

07/09/2006

42-B147-032

Room: Roof

0.00 SF Walls	0.00 SF Ceiling	0.00 SF Walls & Ceiling
0.00 SF Floor	0.00 SF Short Wall	0.00 LF Floor Perimeter
0.00 SF Long Wall		0.00 LF Ceil. Perimeter

DESCRIPTION	QUANTITY	UNIT COST	RCV	DEPREC.	ACV
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Found no apparent storm related damage to the roof.

Room Totals: Roof			0.00	0.00	0.00
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Room: Exterior/General

0.00 SF Walls	0.00 SF Ceiling	0.00 SF Walls & Ceiling
0.00 SF Floor	0.00 SF Short Wall	0.00 LF Floor Perimeter
0.00 SF Long Wall		0.00 LF Ceil. Perimeter

DESCRIPTION	QUANTITY	UNIT COST	RCV	DEPREC.	ACV
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R&R Window screen, 10 - 16 sf	4.00 EA	22.30	89.20		89.20
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Above screens are as follows: one screen on right elevation, one screen on the left elevation and two screens on the rear elevation.

Found no apparent storm related damage to the gutters.

Room Totals: Exterior/General			89.20	0.00	89.20
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Room: Living Room

LxWxH 31'0" x 15'6" x 8'0"

744.00 SF Walls	480.50 SF Ceiling	1,224.50 SF Walls & Ceiling
480.50 SF Floor	124.00 SF Short Wall	93.00 LF Floor Perimeter
248.00 SF Long Wall		93.00 LF Ceil. Perimeter

DESCRIPTION	QUANTITY	UNIT COST	RCV	DEPREC.	ACV
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R&R 1/2" drywall - hung, taped, ready for texture	32.00 SF	1.15	36.80		36.80
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R&R Blown-in insulation - 6" depth - R13	32.00 SF	0.81	25.92		25.92
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Remove Tear off painted acoustic ceiling (popcorn) texture	448.50 SF	0.44	197.34		197.34
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42-B147-032

Page: 2

State Farm Insurance Companies

BRUNSON, RAY

07/09/2006

CONTINUED - Living Room

DESCRIPTION	QUANTITY	UNIT COST	RCV	DEPREC.	ACV
Seal/prime the surface area - one coat	32.00 SF	0.23	7.36		7.36
Acoustic ceiling (popcorn) texture	480.50 SF	0.47	225.84		225.84
Above used as repairs to the ceiling.					
R&R 1/2" drywall - hung, taped, floated, ready for paint	64.00 SF	1.29	82.56		82.56
R&R Batt insulation - 10" - R30	64.00 SF	1.25	80.00		80.00
Seal/prime the surface area - one coat	64.00 SF	0.23	14.72		14.72
Paint - one coat	744.00 SF	0.25	186.00	46.50	139.50
Above used as repairs to the walls.					
Paint door or window opening - 1 coat (per side)	5.00 EA	8.59	42.95	10.74	32.21
Content Manipulation charge - per hour	1.00 HR	22.50	22.50		22.50
Room Totals: Living Room			921.99	57.24	864.75
Line Item Subtotals: 42-B147-032			1,011.19	57.24	953.95
Adjustments for Base Service Charges					
					Adjustment
Carpenter - Mechanic					93.12
Drywall Installer/Finisher					145.64
Insulation Installer					82.52
Painter					60.00
Total Adjustments for Base Service Charges:					381.28
Line Item Totals: 42-B147-032			1,392.47	57.24	1,335.23

State Farm Insurance Companies

BRUNSON, RAY

07/09/2006

Grand Total Areas:

744.00 SF Walls	480.50 SF Ceiling	1,224.50 SF Walls and Ceiling
480.50 SF Floor	124.00 SF Short Wall	93.00 LF Floor Perimeter
248.00 SF Long Wall		93.00 LF Ceil. Perimeter

12818

IN THE COURT OF GENERAL SESSIONS
SHELBY COUNTY, TENNESSEE

RAY BRUNSON and
MARY BRUNSON,

Plaintiffs,

VS.

Docket No. 1160390

STATE FARM FIRE and
CASUALTY COMPANY,

Defendant.

NOTICE OF APPEAL


NOTICE OF APPEAL:

I, State Farm Fire and Casualty Company, Appellant does hereby give notice that it desires to appeal the decision rendered in this case on March 8, 2007 to the Circuit Court, Shelby County, Tennessee.

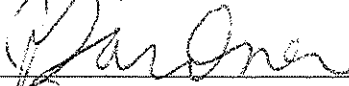
X Filing Fees Paid

_____ Filed as Indigent

Appellant Signature

By: 
Russell C. Rutledge, Attorney for State Farm Fire and Casualty Co.

Chris Turner, Clerk

By: 
Deputy Clerk - General Sessions Court, Shelby County, Tennessee
Date: 3-15-07

Pr. Pd 167.50
1147.50
20.00

2007 MAR 15 P 2:55
GENERAL SESSIONS CLERK
CHRIS TURNER, CLERK

PARTY INFORMATION:

Plaintiffs:

Name: Mike Cook, Attorney for Ray Brunson and Mary Brunson
Address: 871 Ridgeway Loop, Suite 108
Memphis, TN 38119
Phone No.: 901-682-9655

Defendant:

Name: STEWART & WILKINSON, PLLC
Russell C. Rutledge, Attorney for State Farm Fire and Casualty Co.
Address: Stewart & Wilkinson, PLLC
9040 Garden Arbor Drive, Ste. 101
Germantown, TN 38138
Phone No.: 901-521-8232

**IN THE CIRCUIT COURT OF TENNESSEE
FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS**

**RAY BRUNSON and wife,
MARY BRUNSON,**

Plaintiffs,

vs.

**STATE FARM FIRE AND
CASUALTY COMPANY,**

Defendant.

DOCKET NO.: CT-001522-07

DIV. III

JURY DEMANDED

PLAINTIFFS' FIRST SET OF INTERROGATORIES TO DEFENDANT

COME NOW the Plaintiffs, Ray Brunson and wife, Mary Brunson, pursuant to the Tennessee Rules of Civil Procedure, and hereby serve upon the Defendant, their First Set of Interrogatories, to be answered by said Defendant separately and fully in writing under oath within thirty (30) days after service hereof as provided in said Rules.

Answers to these Interrogatories are to be based upon information available to either Defendant or Defendant's attorney. These Interrogatories are to be considered continuing in nature and consequently should information become available at a later date which is relevant to the Interrogatories contained herein, such information should be furnished to the Plaintiffs' attorney immediately.

INTERROGATORY NO. 1: Please state the name and address of each person whom you expect to call as an expert witness at the trial of this matter, and with respect to each such person, please state:

(a) His or her field of expertise;


- (b) The subject matter on which he or she is expected to testify;
- (c) The substance of the facts and opinions to which the expert is expected to testify; and
- (d) A summary of the grounds for each of the opinions to which the expert is expected to testify.

INTERROGATORY NO. 2: Please state the name, home address, home telephone number and current employer of any and all persons having knowledge of any fact or circumstance pertaining to Mr. and Mrs. Brunson's claim for hail damage to their roof or relevant events preceding or subsequent thereto, and state briefly the knowledge thought to be possessed by each such person.

INTERROGATORY NO. 3: Please state the name, home address and home telephone number of all residents of Shelby County, Tipton County or Fayette County, Tennessee who were insured by State Farm Fire and Casualty Company and made a claim for hail damage to their real or personal property as a result of a hail storm on May 31, 2006 and in respect to each such person, please state:

- a) The policy number and type of policy (e.g. automobile, homeowner, etc.) for each such claim;
- b) The date each such claim was filed;
- c) The claim number for each such claim;
- d) The disposition of each such claim; and
- e) Whether a lawsuit was filed pertaining to any such claim and if so, the court, docket number and disposition for each such lawsuit.

Respectfully submitted,


JOSEPH MICHAEL COOK (6385)
Attorney for Plaintiffs
7692 Poplar Pike
Germantown, Tennessee 38138
901/753-5898

CERTIFICATE OF SERVICE

I, Joseph Michael Cook, do hereby certify that a true and exact copy of the foregoing instrument has been served on the attorney for Defendant, Russell C. Rutledge, at 9040 Garden Arbor Drive, Suite 101, Germantown, Tennessee, 38138, via U.S. Mail, postage pre-paid, on this the 29th day of April, 2007.


JOSEPH MICHAEL COOK

IN THE CIRCUIT COURT OF TENNESSEE
FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS

RAY BRUNSON and wife,
MARY BRUNSON,

Plaintiffs,

vs.

STATE FARM FIRE AND
CASUALTY COMPANY,

Defendant.

DOCKET NO.: CT-001522-07

DIV. III

JURY DEMANDED

PLAINTIFFS' FIRST REQUEST FOR PRODUCTION OF DOCUMENTS TO
DEFENDANT

COME NOW the Plaintiffs, Ray Brunson and wife, Mary Brunson, pursuant to the Tennessee Rules of Civil Procedure, and requests the Defendant to produce documentation and/or material as follows:

REQUEST NO. 1: A complete copy of the claim file pertaining to Plaintiffs' claim for hail damage to their home sustained on May 31, 2006. **(THIS REQUEST DOES NOT INCLUDE ANY PRIVILEGED COMMUNICATION BETWEEN DEFENDANT AND ITS ATTORNEY)**

REQUEST NO. 2: A complete copy of the claim files for each claim filed by any resident of Shelby County, Tipton County or Fayette County, Tennessee for hail damage to personal property or real property arising out of a hail storm on May 31, 2006. **(THIS REQUEST DOES NOT INCLUDE ANY PRIVILEGED COMMUNICATION BETWEEN DEFENDANT AND ITS ATTORNEY)**

REQUEST NO. 3: A copy of all claim manuals, directives, bulletins, memoranda, correspondence or any other documentation and/or material setting forth claim handling policies and/or procedures for hail damage claims and including, but not limited to, damage claim resulting from the hail storm on May 31, 2006.

REQUEST NO. 4: Copies of all lawsuits filed by any resident of Shelby County, Tipton County or Fayette County, Tennessee pertaining to hail damage from hail storms within the past three (3) years.

Production of the above-requested documentation and/or material is to be made at the law offices of Joseph Michael Cook, 7692 Poplar Pike, Germantown, Tennessee, 38138, within thirty (30) days.

Respectfully submitted,



JOSEPH MICHAEL COOK (6385)

Attorney for Plaintiffs

7692 Poplar Pike

Germantown, Tennessee 38138

901/753-5898

CERTIFICATE OF SERVICE

I, Joseph Michael Cook, do hereby certify that a true and exact copy of the foregoing instrument has been served on the attorney for Defendant, Russell C. Rutledge, at 9040 Garden Arbor Drive, Suite 101, Germantown, Tennessee, 38138, via U.S. Mail, postage pre-paid, on this the 21st day of April, 2007.



JOSEPH MICHAEL COOK